

I hereby certify that on the date specified below, this correspondence is being deposited via facsimile (571) 273-1299 to Examiner Jonathan Crepeau at the U.S. Patent Office.

October 12, 2004  
Date

Cori N. Lanman  
Cori N. Lanman

RECEIVED  
CENTRAL FAX CENT  
OCT 12 2004

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Appl. No.: 10/613,784 Confirmation No.: 7001

Applicant: NEAH POWER SYSTEMS, INC.

Filed: July 7, 2003

Title: Fuel Cells Having Silicon Substrates and/or Sol-Gel Derived Support Structures

TC/A.U.: 1746

Examiner: Jonathan Crepeau

Docket No.: 690089.401D1

Cust. No.: 31740

Mail Stop Patent Ext.  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

TERMINAL DISCLAIMER

Sir:

The owner, Neah Power Systems, Inc., of 100% interest in the present application hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the present application, which would extend beyond the expiration date of the full statutory term defined in 35 U.S.C. 154 to 156 and 173 as shortened by any terminal disclaimer filed prior to the grant of any patent granted on parent Application No. 09/715,830, filed on November 17, 2000 (now U.S. Patent No. 6,641,948). The owner hereby agrees that any patent so granted on

10/19/2004 ASINGLET 00000002 020915 10613784

Page 1 of 2

P.02/03



01 FC:2814 09:58 DCTA4202004